Merchant & Gould

An Intellectual Property Law Firm

3200 IDS Center 80 South Eighth Street Minneapolis, Minnesota 55402-2215 USA TEL 612.332.5300 FAX 612.332.9081 www.metchantgould.com

A Professional Corporation

Fax Transmission

August 8, 2003

TO:

Commissioner for Patents

FROM:

Anna M. Nelson

Attn: Examiner R. Ghafoorian

Patent Examining Corps

OUR REF:

11998.20US01

Facsimile Center Washington, D.C. 20231

TELEPHONE:

612.336.4701

Total pages, including cover letter: 9.

PTO FAX NUMBER 1-703.872.9303

If you do NOT receive all of the pages, please telephone us at 612.371.5394, or fax us at 612.332.9081.

Title of Document Transmitted:

Amendment

FAX RECEIVED

Applicant:

Walsh

Serial No.:

09/591,754

Filed.

June 12, 2000

Group Art Unit: 3763

Our Ref. No.:

11998.20US01

GROUP 3700

AIIG 1 1 2003

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Name: Anna M. Nelson

Reg. No.: 48,935

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Victoria Hanson

<u>August 8, 2003</u>

GEN033.DOT

AUG-08-03

03:32PM

FROM-Merchant & Gould 2

6123329081

T-658 P.002/009 F-8

DC)

RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE EXAMINING GROUP

S/N 09/591754

<u>PATENT</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Walsh

Examiner:

R. Ghafoorian

Serial No.:

09/591754

Group Art Unit:

3763

Filed:

June 12, 2000

Docket No.:

11998.20US01

Title:

CARDIAC SUPPORT DEVICE AS A CONTROLLED DRUG RELEASE

OR CELL TRANSFER VEHICLE

Customer

34379

Number:

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703.872.9303 on August 8, 2003.

By: <u>Victoria Hanson</u>
Name: Victoria Hanson

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

OFFICIAL

Dear Sir:

In response to the Final Office Action mailed May 8, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 6 of this paper.